

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

FILED

APR 07 2003

Civil Action No. 5:03-CV-204-BO

DAVID W DANIEL, CLERK  
US DISTRICT COURT, NC  
BY  DEP. CLERK

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. )  
NORTH CAROLINA'S ORIGINAL )  
COPY OF BILL OF RIGHTS, )  
Defendant. )

**ANSWER OF STATE OF  
NORTH CAROLINA**

**ANSWER**

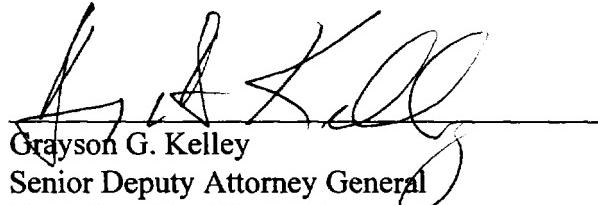
NOW COMES claimant the State of North Carolina, through its Attorney General Roy Cooper, and answers Plaintiff's Complaint For Forfeiture *In Rem* as follows:

1. The allegations of paragraph 1 are admitted.
2. The allegations of paragraph 2 are admitted.
3. The allegations of paragraph 3 are admitted.
4. The allegations of paragraph 4 are admitted.
5. As to the allegations of paragraph 5, claimant State of North Carolina admits the property is subject to forfeiture except to the extent of the State's interest in the property as an innocent owner as provided by law.

WHEREFORE, the State of North Carolina having fully answered Plaintiff's Complaint for Forfeiture *In Rem*, respectfully requests that this Court enter appropriate orders declaring that the defendant is subject to forfeiture in accordance with federal law and that the defendant be delivered to the State of North Carolina as an innocent owner of the property.

This the 24 day of April, 2003.

  
\_\_\_\_\_  
ROY COOPER  
Attorney General  
N. C. State Bar No. 10286

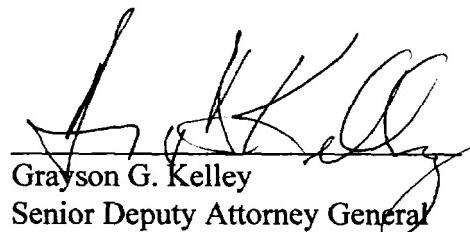
  
\_\_\_\_\_  
Grayson G. Kelley  
Senior Deputy Attorney General  
N. C. State Bar No. 8349  
[gkelley@mail.jus.state.nc.us](mailto:gkelley@mail.jus.state.nc.us)

North Carolina Department of Justice  
P.O. Box 629  
Raleigh, N.C. 27602  
Telephone: (919) 716-6900

**VERIFICATION**

I, Grayson G. Kelley, being duly sworn, depose and say:

That I am a Senior Deputy Attorney General and counsel to the State of North Carolina in this action. I have read the foregoing Answer of State of North Carolina and the same is true of my own personal knowledge, except as to matters herein stated upon information and belief and, as to those, I believe them to be true.



Grayson G. Kelley  
Senior Deputy Attorney General

Sworn to and subscribed before me, this

7<sup>th</sup> day of April, 2003  
Monica A. Maga  
Notary Public

My Commission Expires:

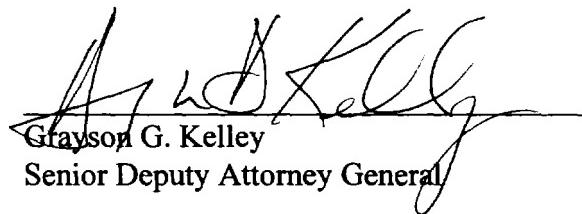
1-31-06

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **ANSWER OF STATE OF NORTH CAROLINA** was served via U.S. Mail, postage prepaid, upon the following person(s):

Frank Whitney  
United States Attorney  
Eastern District of North Carolina  
800 Terry Sanford Building  
310 New Bern Avenue  
Raleigh, N. C. 27601-1461

This the 7th day of April, 2003.



Grayson G. Kelley  
Senior Deputy Attorney General